

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ROBERT E. SANFORD,

8:08CV261

Plaintiff,

v.

**MEMORANDUM
AND ORDER**

UNKNOWN NEWTON, Director,
UNKNOWN DAVIS, Corrections
Officer, UNKNOWN DUTCHER,
Corrections Officer, and UNKNOWN
SHERMAN, Case Management,

Defendants.

This matter is before the court on its own motion. The primary issue before the court is whether Plaintiff Robert E. Sanford failed to exhaust his administrative remedies prior to filing suit in this court, as argued by Defendants in their Motion for Summary Judgment. (See Filing No. [107](#) at CM/ECF p. 1.) The Index of Evidence filed by Defendants in support of their Motion for Summary Judgment indicates that Plaintiff's inmate request forms and inmate grievance forms are included in Defendants' exhibit package as Exhibits 10 and 11. (Filing No. [107](#), Attachment 1, at CM/ECF p. 1.) However, Exhibits 10 and 11 are actually excerpts from the Douglas County Department of Corrections Policy and Procedures Manual, and not the inmate request and grievance forms. (See Filing No. [110](#), Attachment 10 and Filing No. [110](#), Attachment 11.)

Because the court needs to review Plaintiff's inmate request forms and inmate grievance forms in order to rule on Defendants' Motion for Summary Judgment, the court will give Defendants until October 4, 2010, to provide the relevant inmate request forms and inmate grievance forms.

IT IS THEREFORE ORDERED THAT:

1. Defendants shall have until October 4, 2010, to file all relevant inmate request forms and inmate grievance forms.

2. The Clerk of the court is directed to set a pro se case management deadline in this case using the following text: October 4, 2010: check for filing of inmate request forms and inmate grievance forms.

DATED this 23rd day of September, 2010.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge

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